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JAN 14 2004

Patent
Attorney Docket: 302,670-16
(prev 267/006)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Mark M. Wang et al.

Serial No.: 09/993,388

Filed: November 14, 2001

For: Apparatus for Collection of Sorted
Particles

Group Art Unit: 2881

Examiner: Phillip A. Johnston

EXPRESS ABANDONMENT UNDER 37 C.F.R. § 1.138Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Without conceding the propriety of the claim rejections contained in the Final Office Action mailed on November 10, 2003, Applicants, through the undersigned attorney of record, hereby request that the above-identified Application be expressly abandoned as of the filing date of this paper.

Applicants note for the record, for example, that the terms "Optophoretic" and "Optophoresis" are not equivalent to the terms "photophoretic" and "photophoresis",


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Denise Doss



Patent
Attorney Docket: 302,670-16
(prev 267/006)

respectively. If there are any questions regarding the submission of this paper, please
contact the undersigned at (949) 737-2926.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 1/13/04

By: 

Michael S. Davidson
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